



April 27, 2015

**KANSAS BULLETIN NO. KS300-15-37**

**SUBJECT: LTP–Environmental Quality Incentives Program–Fiscal Year 2015 Working Lands for Wildlife Lesser Prairie-Chicken Initiative**

**Action required by:** March 20, 2015 (Field Offices [FOs])  
April 3, 2015  
May 8, 2015  
July 3, 2015

May 22, 2015 (Area Offices [AOs])  
June 26, 2015  
July 31, 2015

June 5, 2015 (State Office [SO])

**Purpose:** Provide guidance on administering the fiscal year (FY) 2015 Working Lands for Wildlife (WLFW) Lesser Prairie-Chicken Initiative (LPCI) available through the Environmental Quality Incentives Program (EQIP)

**Expiration Date:** September 30, 2016

**This bulletin replaces Kansas Bulletin KS300-15-16.**

**Background**

WLFW LPCI is an effort between the Natural Resources Conservation Service (NRCS) and the U.S. Fish and Wildlife Service (USFWS) that leverages capabilities and resources, targets assistance where it is most needed, cooperatively engages state and local partners, and collaboratively works with agricultural producers, forest land managers, and Tribes. NRCS and USFWS initially selected seven at-risk species whose decline can be reversed given sufficient resources and landowner participation. WLFW LPCI promotes voluntary, incentive-based conservation on private and Tribal lands.

The primary objectives of WLFW LPCI are to:

- Provide landowners with financial and technical assistance to help them improve their lands through wildlife habitat management and protection.
- Implement conservation practices (CPs) that will help restore populations of declining wildlife species (candidate, federally listed endangered and threatened, or other at-risk wildlife species).

(more)

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- Provide landowners with Endangered Species Act regulatory certainty and confidence that conservation investments they make on their lands today can help sustain their operations over the long term.

### **Eligible Land Uses, Resource Concerns, and CPs**

The eligible land uses, resource concerns, and CPs are available in Attachment 1. For FY2015, Degraded Plant Condition, Wildfire Hazard, and Excessive Biomass Accumulation have been added as resource concerns. Also, CP 649, Structures for Wildlife Control, has been added to the practice list.

Core CP 645, Upland Wildlife Habitat Management, is required in the conservation plan. Core CP 528, Prescribed Grazing, is required in the conservation plan in contracts where grazing occurs and will receive FA, if not already established, per program policy. Supporting CPs are eligible for WLFW LPCI FA to the extent that they are needed to support the core CPs.

All WLFW LPCI applicants must agree to follow the CP standards and treatment measures as described in the USFWS Biological Opinion in order to be eligible for screening and ranking. This report is posted in Section II of electronic Field Office Technical Guide (eFOTG) under Threatened and Endangered Species.

### **Screening Criteria**

Per the Crucial Habitat Assessment Tool (CHAT), applications will be considered HIGH priority if more than 50 percent of the offered acreage is defined as a “focal area” (CHAT Zone 1) or “connectivity zone” (CHAT Zone 2).

Applications will be considered MEDIUM priority if more than 50 percent of the offered acreage is either:

- (1) In CHAT Zone 3 (Modeled Habitat) or
- (2) Has documented presence of lesser prairie-chickens

Applications will be considered LOW priority if more than 50 percent of the offered acreage is in CHAT Zone 4 (Modeled Non-habitat).

All other applications outside of the above described "Screening Criteria" shall not be considered for funding through WLFW LPCI and are **INELIGIBLE**.

See Attachment 5 for the WLFW LPCI priority areas.

### **Program Contracts System (ProTracts) Ranking Tool**

The ProTracts fund code for WLFW LPCI is LPCI.

National questions are consistent for all EQIP applications. Refer to Bulletin KS300-15-14 for additional information on national questions.

A copy of the state and local ranking questions is provided in Attachment 2.

**NOTE:** State issued question number one refers to active leks. Lek data provided in the Conservation Programs Geographic Information System (GIS) Interface (CPGI) tool is for all known LPC leks, not necessarily all ACTIVE LPC leks. This data is provided to **assist** in answering LPCI state question number 1. Answering “yes” to this question will **NOT** be solely based on the CPGI data.

If a producer has identified an undocumented (not shown in GIS CPGI tool data) active lek on their operation, ranking points may be obtained if the active lek is confirmed by a Kansas Department of Wildlife, Parks and Tourism (KDWPT) area biologist and a NRCS range conservationist.

Participants must be willing to share this information (documented in CPGI or undocumented) to receive points. Under a Freedom of Information Act (FOIA) request, certain parts of the NRCS case file can be released.

### **Technical Assistance**

KDWPT area biologists will assist with LPC habitat assessments. Contract development, contract administration, contract reviews, and follow-up for WLFW LPCI contracts is the responsibility of NRCS.

### **Deadlines**

Although applications for EQIP are accepted continuously, the FY2015 application evaluation period cutoff date for WLFW LPCI applications has been set for **March 20, 2015**.

Applicants without current eligibility determinations processed by the Farm Service Agency (FSA) (see Title 440-Conservation Program Manual (CPM), Part 512, Subpart C, Section 512.24) must be notified by the FO by mail with a Program Eligibility Certification Letter by **April 3, 2015**. A letter template can be found in 440-CPM, part 512, Subpart J, Section 512.91 (see attachment 3). The participant must file or update the required certifications within 30 days of receipt of the letter for NRCS to consider the application for the current ranking period. If eligibility status of the participant is not updated within the 30-day period, the application will be determined ineligible.

If ineligibility is confirmed, the FO must notify the participant by certified mail using the Ineligibility Determination for Conservation Program Contract Letter (see attachment 4), which provides appeal rights according to 440-CPM, Part 510. The letter template can be found in 440-CPM, Part 512, Subpart J, Section 512.93. The application status in ProTracts must be changed to “ineligible.”

The following actions will be completed for all eligible applications by **April 3, 2015**:

- Application information entered in ProTracts:
  - Program
  - Application FY
  - Sign-up date
  - Servicing office
  - Location county
  - Applicant(s)

- Application status (pending, eligible, ineligible, or cancelled)
- Fund code
- Applications will be changed to “eligible” status if the following have been completed:
  - All participants entered in Protracts with:
    - Participant AGI certification flag “Y” in ProTracts
    - Participant HEL and WC certification flag “Y” in ProTracts
    - FTE certification flag “Y” in ProTracts
    - Required DUNS entered in ProTracts
    - Vender information loaded matching 1199a with “Active” status vendor in ProTracts
    - Signature Authority documentation on file
  - All necessary COL affidavits on file

Applications will remain in “pending” status until all participant and land eligibility requirements have been met. NRCS is under no obligation to evaluate or rank an application until these requirements are met. Applications that were not received by the application cutoff date will be left in “pending” status. “Pending” status applications will not be considered for funding during this cutoff period.

FOs will complete conservation plans and application rankings by **May 8, 2015**.

AOs will complete peer reviews of rankings by **May 22, 2015**.

The SO Programs Staff will make funding decisions by **June 5, 2015**.

All approved applications and documentation will be entered in the Document Management System (DMS) for second level review by **July 3, 2015**.

Assistant state conservationists for field operations (ASTCs-FO) will ensure all contracts have been obligated in ProTracts by **July 31, 2015**.

The Regional Conservationist shall review and obligate all approved applications of \$150,000 or greater as outlined in Bulletin KS300-14-41. The ASTCs-FO shall submit questionnaires to the appropriate program manager by **June 26, 2015**.

**Contact:** Forward all questions through established channels to EQIP Initiatives Program Manager at (785) 823-4568.

*(signed)*

ERIC B. BANKS  
State Conservationist

Attachments